

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: JOHNNY CRUZ,	:	
	:	CHAPTER 7
	:	NO.: 22-10523(MDC)
Debtor.	:	
	:	

**DEBTOR'S MOTION TO CONVERT TO CHAPTER 13 PURSUANT TO 11 U.S.C.
SECTION 706(a) AND L.B.R. 1017-1(a)**

The Debtor, Johnny Cruz by and through her undersigned counsel, hereby moves this Honorable Court to approve the Debtor's request to Convert from his current case under Chapter 7 to a case under Chapter 13 of this title pursuant to 11 U.S.C. Section 706(a) and L.B.R. 1017-1(a), and in support thereof asserts the following:

1. Debtor counsel mistakenly filed this case under chapter 7 on February 28, 2022.
2. Gary Seitz, Esquire was appointed as the chapter 7 Trustee.
3. Debtor's counsel mistakenly chose chapter 7 as the chapter being filed in counsel's software program.
4. Debtor and his undersigned counsel fully intended and planned on filing a chapter 13 to address the Debtor's mortgage loan issues.
5. Upon learning of her mistake, Debtor's counsel immediately filed a "Proper Form of Petition" to choose to proceed under chapter 13.
6. The chapter 7 trustee informed counsel that Debtor would need to file this Notice to Convert.

7. Section 706(a) of the Bankruptcy Code and Local Rule 1017-1(a) provides that the Court may convert a case under Chapter 7 to a case under Chapter 13 at any time without notice and a hearing.

8. A conversion to a Chapter 13 would be in the best interests of the Debtor, the creditors and the estate.

9. The Conversion to chapter 13 is filed in good faith and the Debtor is eligible for relief under chapter 13.

Wherefore, Debtor prays that an Order be entered converting the above-captioned case to a case under Chapter 13.

Respectfully submitted,
CENTER CITY LAW OFFICES, LLC

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